

REMARKS

Claims 1-4, 9, 10 and 12 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 3,945,676 (Asamoto), the Examiner having equated:

- Asamoto structures 201, 301 with the claimed pad portions;
- the end of Asamoto structure 1 with the claimed seat portion and normal plane; and
- axis B-B of Asamoto with the claimed medial plane

However, it is noted that claim 1 contemplates the pad portions having:

- closed positions; and
- open positions, whereat the first pad portion is disposed, relative to its respective closed position, in a direction away from the normal plane, and the second pad portion is disposed, relative to its respective closed position, in a direction away from both the medial plane and the normal plane

That is, as the pad portions move away from the normal plane, from the closed positions to the open positions, at least the second pad portion moves *away from* the medial plane.

However, it is clearly evident in FIG. 1 of the Asamoto reference that as the pad portions move away from the "normal plane" (i.e. move from the position indicated in dotted outline to the position indicated in solid outline) both pad portions move *toward* the medial plane/axis B-B.

For clarification, it is noted that the ends of solid structures 201,301 are further to the right of the page than the ends of dotted structures 201,301. It is on this basis that the Applicant asserts that the transition of dotted-to-solid structures constitutes movement "away from the normal plane".

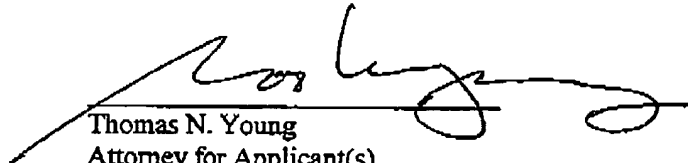
Moreover, as presently claimed, movement of the pad portions away from the normal plane, constitutes movement from the closed positions to the open positions. This is in contradistinction to the Asamoto movement, wherein movement "away from the normal plane" constitutes a *closing* movement of portions 201,301.

In view of the foregoing, reconsideration and withdrawal of the 35 U.S.C. 102(b) objection

against claims 1-4, 9, 10 and 12 is requested.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 5-8 and 11.

Respectfully submitted,



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